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EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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 Separate paging is given to this Part in order that it may be filed
 as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 25th January, 1974/Magha 5, 1895 (Saka)

The following President's Act is published for general information:—

THE ORISSA RIVER POLLUTION PREVENTION (AMENDMENT) ACT, 1974

No. 1 of 1974

Enacted by the President in the Twenty-fourth Year of the Republic of India.

An Act to amend the Orissa River Pollution Prevention Act, 1953.

In exercise of the powers conferred by section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973, the President is pleased to enact as follows:—

1. (1) This Act may be called the Orissa River Pollution Prevention (Amendment) Act, 1974.

(2) It shall come into force at once.

2. In section 3 of the Orissa River Pollution Prevention Act, 1953, after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) If, by reason of a proclamation issued under article 356 of the Constitution, a vacancy has arisen in the office of the Chairman of the Board or of the members referred to in clause (b) of

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sub-section (1), then, notwithstanding anything contained in that sub-section, the State Government may appoint—

(i) any person to be the Chairman in place of the Minister of Health; or

(ii) any persons to be the members of the Board in place of the members referred to in the said clause (b), as the case may be, and the Chairman or the members so appointed shall hold office until the Minister of Health, or the members referred to in the said clause, assume the office of the Chairman of the Board or the members thereof, as the case may be.”

V. V. GIRI,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

Reasons for the enactment

The Orissa River Board is constituted under sub-section (1) of section 3 of the Orissa River Pollution Prevention Act, 1953. Under clauses (a) and (b) of section 3 (1) of the said Act the Minister of Health, Orissa is the *ex officio* Chairman of the Board and 3 members of the Orissa Legislative Assembly elected from among themselves are the members of the Board besides the other members referred to in that section.

2. The main function of the Board is to regulate and control the disposal of wastes and effluents into the rivers by factories with a view to maintain cleanliness of the river waters in the State. Under the Act a new industry has to obtain a licence from the Orissa River Board before it discharges its effluents in a public stream or river.

3. Consequent upon the dissolution of the State Legislature, the Board cannot function. Now it is not possible for any new industry requiring discharge of its wastes and effluents into a public stream or river to come up in the absence of the Orissa River Board as the industry will not get necessary licence for the purpose. It is therefore necessary to reconstitute the Board during the President's Rule in Orissa by suitably amending section 3 of the Act. This measure seeks to give effect to the above proposal.

4. The Consultative Committee of Parliament constituted under the proviso to sub-section (2) of section 3 of the Orissa State Legislature (Delegation of Powers) Act, 1973 (20 of 1973) has been consulted before the enactment of the measure as a President's Act.

A N. KIDWAI,
Secy. to the Govt. of India,
Ministry of Works and Housing.

